

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARWYN LEWIS,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

No. 1:20-cv-00693-NONE-EPG

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS IN PART

(Doc. No. 15)

ORDER DIRECTING CLERK TO APPOINT  
DISTRICT JUDGE FOR PURPOSE OF  
CLOSING CASE

Plaintiff, Darwyn Lewis (“plaintiff”), proceeding *pro se* and *in forma pauperis*, filed the complaint initiating this action on May 18, 2020. (Doc. No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 16, 2020, the assigned magistrate judge screened the then-operative complaint and found that it failed to state any cognizable claims. (Doc. No. 11.) Findings and recommendations were issued recommending that “[t]his action be dismissed with prejudice for failure to state a claim and failure to comply with a court order”; and “[t]he Clerk of Court be directed to close this case.” (Doc No. 15 at 10.)

Plaintiff was provided an opportunity to file objections to the findings and recommendations. The deadline to file objections has passed, and plaintiff has not filed

1 objections or otherwise responded to the findings and recommendations.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this  
3 Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the  
4 court finds it appropriate to adopt the findings and recommendations to the extent that they  
5 dismiss for failure to comply with a court order. The court therefore finds it unnecessary to  
6 address the alternative recommendation that the case be dismissed for failure to state a claim.

7 Accordingly, THE COURT HEREBY ORDERS that:

- 8 1. The findings and recommendations issued on October 16, 2020, (Doc. No. 15) are  
9 ADOPTED IN PART;
- 10 2. Plaintiff's amended complaint is dismissed with prejudice for failure to comply  
11 with a court order; and
- 12 3. The Clerk of Court is directed to appoint a district judge for the purpose of closing  
13 this case and CLOSE this case.

14 IT IS SO ORDERED.

15 Dated: **December 7, 2020**

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18 UNITED STATES DISTRICT JUDGE  
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